

JOURNAL OF THE HOUSE.

Thursday, September 24, 2015.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Fernandes of Milford) congratulating Sylvia Oliveri on the occasion of her one hundredth birthday; and Sylvia Oliveri.

Resolutions (filed by Ms. Story of Amherst) congratulating the people of the town of Kanegasaki on the occasion of the sixtieth anniversary of the founding of the town of Kanegasaki; Kanegasaki, Japan.

Mr. Galvin of Canton, for the committee on Rules, reported, that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Barber of Somerville, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Report.

The 60 day report of the MBTA Fiscal Management Control Board (under Section 207 of Chapter 46 of the Acts of 2015) submitting a preliminary analysis of, and management plans to address, the structural operating deficit of the Massachusetts Bay Transportation authority and its capital and maintenance needs over the 5 years following the effective date of said act, was placed on file. MBTA Fiscal Management Control Board.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant and others relative to the age of consent in certain civil actions for sexual assault and rape of a child by certain employees or contractors. Sexual assault.

By the same member, a petition (subject to Joint Rule 12) of Peter J. Durant and others relative to the age of consent in certain civil actions for sexual assault and rape of a child by certain employees or contractors. Id.

By Mr. Sannicandro of Ashland, a petition (subject to Joint Rule 12) of Tom Sannicandro relative to the operation of bicycles at intersections. Bicycles,—intersections.

Severally, under Rule 24, to the committee on Rules.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Local option
fuel tax.

Petition (accompanied by bill) of William Smitty Pignatelli and others relative to establishing a local option gasoline and diesel fuel excise tax. To the committee on Revenue.

Gas and
electric
companies.

Petition (accompanied by bill) of Stephen Kulik and others relative to adjudicatory proceedings involving gas and electric companies. To the committee on Telecommunications, Utilities and Energy.

Under suspension of the rules, on motion of Ms. Provost of Somerville, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Tree
wardens.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill to update the public shade tree law (House, No. 1840). Read; and referred, under Rule 33, to the committee on Ways and Means.

Norwood,—
alcoholic
beverages.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, a Bill authorizing the town of Norwood to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3684) [Local Approval Received].

Lawrence,—
city
councilors.

By O' Day of West Boylston, for the committee on Municipalities and Regional Government, a Bill relative to members of the city council for the city of Lawrence (House, No. 3601) [Local Approval Received].

Lawrence,—
school
committee.

By the same member, for the same committee, on a petition, a Bill relative to the school committee for the city of Lawrence (House, No. 3604) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy, and Scheduling.

Alternative
nicotine
products.

By Mr. Kaufman of Lexington, for the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2434) of James Arciero and Rady Mom relative to the excise tax on alternative nicotine products and vapor products and further prohibiting the use of said products by minors,—and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Reducing the size of the city council of the city of Holyoke (see House, No. 3329, amended);

Establishing a 4-year term for the office of mayor of the city of Holyoke (see House, No. 3558, amended);

Relative to the department of public works in the town of Tisbury (see House, No. 3619);

Establishing a 4-year term for the office of city councilor of the city of Holyoke (see House, No. 3680, amended); and

Establishing an appointed treasurer for the city of Holyoke (see House, No. 3734, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate amendment of the House Bill relative to the recall of elected officials in the town of Dighton (House, No. 3615), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Dighton,—
recalls.

House bills

Establishing a sick leave bank for Maribel Sepulveda, an employee of the Executive Office of Health and Human Services (House, No. 3704) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Establishing a sick leave bank for Shirley Brathwaite, and employee of the Department of Children and Families (House, No. 3705);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill authorizing the town of Sturbridge to grant 1 additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 30), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Sturbridge,—
liquor
license.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in section 1, in line 3, by striking out the words “an entity” and inserting in place thereof the following: “OSJL Spirits, LLC,”.

The amendment was adopted; and the bill (Senate, No. 30, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill relative to the sale of all alcoholic beverages in certain establishments in the town of Stoneham (House, No. 3375) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Stoneham,—
liquor
license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Section 1 of chapter 167 of the acts of 2001 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Any license issued pursuant to this act shall be subject to all of chapter 138 of the General Laws except section 17 of said chapter 138 and, regardless of when it was issued,

Stoneham,—
liquor
license.

shall not count towards the number of licenses that may be issued in the town pursuant to said section 17.”

The amendment was adopted; and the bill (House, No. 3375, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Canton,—
liquor
licenses.

The House Bill authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3717), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 3768), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Id.

The House Bill authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3718), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 3769), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.